

LEGISLATURE OF NEBRASKA
ONE HUNDREDTH LEGISLATURE
SECOND SESSION
LEGISLATIVE BILL 1113

Introduced by Erdman, 47.

Read first time January 23, 2008

Committee: Agriculture

A BILL

- 1 FOR AN ACT relating to agriculture; to create and provide duties
- 2 for the Family Farm Policy Advisory Council; to create a
- 3 fund; and to declare an emergency.
- 4 Be it enacted by the people of the State of Nebraska,

1 Section 1. The Family Farm Policy Advisory Council is
2 established. The council shall consist of up to eighteen persons
3 appointed as provided in this section. The Governor shall appoint
4 seven persons and the Chairperson of the Agriculture Committee of
5 the Legislature, in consultation with the members of the committee,
6 shall appoint seven persons. The appointments made by the Governor
7 and the Chairperson of the Agriculture Committee to the Family
8 Farm Policy Advisory Council shall be made to achieve a membership
9 representative of the following classes of persons:

10 (a) Agricultural crop and livestock producers and
11 specialty crop producers;

12 (b) Handlers, marketers, and processors of agricultural
13 commodities;

14 (c) Agricultural economists and faculty or extension
15 specialists with expertise in the areas of agricultural economics,
16 agronomy, and food processing;

17 (d) Persons knowledgeable of rural development programs;

18 (e) Agricultural credit lenders;

19 (f) Agricultural producers' cooperative members,
20 directors, or managers; and

21 (g) Individuals involved in agricultural real estate.

22 (2) When making appointments, the Governor and the
23 Chairperson of the Agriculture Committee of the Legislature shall
24 seek to achieve a general geographic representation of the state
25 and a membership that is representative of and knowledgeable in

1 agricultural production and marketing strategies and opportunities
2 for family farm operations. Upon completion of the appointment of
3 the initial fourteen members of the council, the Governor and the
4 Chairperson of the Agriculture Committee each may appoint up to
5 two additional members to achieve the representation on the council
6 contemplated by this section. Appointments to the council shall be
7 completed within thirty days after the effective date of this act
8 and reported to the Executive Board of the Legislative Council.
9 The vice chancellor of the University of Nebraska Institute of
10 Agriculture and Natural Resources, the Director of Agriculture,
11 the Director of Environmental Quality, the Director of the
12 Department of Economic Development, and the executive director
13 of the Nebraska Investment Finance Authority, or their designees,
14 shall be nonvoting, ex officio members of the council.

15 (3) The members of the council shall select a chairperson
16 and a vice-chairperson. Eleven members shall constitute a quorum
17 and a majority vote of its voting membership is required for the
18 recommendations of the council to be valid and official. Members
19 of the council shall serve without compensation but shall be
20 reimbursed for their actual and necessary expenses as provided in
21 sections 81-1174 to 81-1177. The council shall meet at least four
22 times prior to December 15, 2008.

23 (4) For administrative and budgetary purposes only, the
24 council shall be housed within the Department of Agriculture
25 which shall assist the council with administrative and operational

1 support. Within the limits of funds appropriated, the Department
2 of Agriculture, on behalf of the council, may contract for the
3 services of a meeting facilitator and such other assistance as the
4 council deems necessary, including the appearance and advice of
5 experts in the fields of study and practice relevant to the work of
6 the council under sections 1 to 4 of this act.

7 Sec. 2. (1) The Family Farm Policy Advisory Council
8 shall identify and recommend policies, programs, services, and
9 strategies to encourage and support family farm proprietorship
10 and models of agricultural production and marketing conducive to
11 family farm scale of agricultural production in this state. Such
12 policies, programs, services, and strategies may address, but are
13 not necessarily limited to, the following areas:

14 (a) Tax incentives and policy;

15 (b) Programs of extension, research, and technical and
16 financial assistance;

17 (c) Farmer cooperative development;

18 (d) Government and institutional procurement practices;

19 (e) Agricultural products standards, inspection, and
20 certification;

21 (f) Direct and local food marketing and development of
22 specialty crops;

23 (g) Credit and lending programs;

24 (h) Farm succession and beginning farmer programs;

25 (i) Conservation programs, open space preservation, and

1 environmental services;

2 (j) Value-added processing, agro-tourism, and other
3 on-farm entrepreneurial activities; and

4 (k) Rural development.

5 (2) The council shall submit a report of its findings and
6 recommendations to the Governor and the Clerk of the Legislature
7 on or before December 15, 2008. To the extent practicable
8 and applicable, the recommendations of the council shall seek
9 to coordinate recommendations with United States Department of
10 Agriculture Rural Development programs and other federal assistance
11 programs.

12 Sec. 3. Sections 1 to 3 of this act terminate on January
13 1, 2009.

14 Sec. 4. The Family Farm Policy Advisory Council Cash Fund
15 is created. The fund may be used to carry out the purposes of
16 sections 1 to 4 of this act. The fund shall consist of any funds
17 appropriated by the Legislature and any money received as gifts,
18 grants, and donations from any source, public or private. Any money
19 in the fund available for investment shall be invested by the state
20 investment officer pursuant to the Nebraska Capital Expansion Act
21 and the Nebraska State Funds Investment Act. Any money remaining in
22 the fund on July 1, 2009, shall lapse to the General Fund.

23 Sec. 5. Since an emergency exists, this act takes effect
24 when passed and approved according to law.